

DA0201A
Department of Disabilities

Accessibility Modifications (Statewide)

General Obligation Bonds **\$1,600,000**

Summary of Recommended Bond Actions

1. Accessibility Modifications

Approve funding for the Accessibilities Modifications program.

Program Analysis and Performance Measures

The Accessibilities Modifications program, also known as Access Maryland, provides funds to eliminate architectural barriers in State-owned facilities and allows the State to move toward compliance with the federally mandated Americans with Disabilities Act (ADA) of 1990. The program helps reduce the liability of the State for noncompliance with the ADA. It also helps to increase access to State programs, services, and employment opportunities. Each year, the Maryland Department of Disabilities (MDOD) requests projects for funding from State agencies and the public higher education institutions. The projects funded within this program are part of a long-term effort, and the program will require funding beyond the current *Capital Improvement Program* (CIP).

Starting with fiscal 2013, agencies must have a transition plan on file with MDOD to receive funding in the allowance. The deadline for fiscal 2014 was January 1, 2012. At that time, 12 State agencies had transition plans on file with MDOD, up from 6 a year ago. It is unknown when MDOD will have a transition plan on file for all State agencies with accessibility needs. The agencies with plans currently on file are as follows:

- Bowie State University;
- Coppin State University (CSU);
- Department of General Services;
- Department of Natural Resources;

- Department of Public Safety and Correctional Services;
- Historic St. Mary's City;
- Morgan State University;
- Towson University;
- University of Maryland, Baltimore (UMB);
- University of Maryland Baltimore County (UMBC);
- University of Maryland, College Park (UMCP); and
- University of Maryland Eastern Shore.

Transition plans are revised and resubmitted to MDOD on a three-year cycle and the next round of updates is due in January 2014 to be eligible for Access Maryland in fiscal 2016 to 2018. Agencies that are currently eligible but do not submit updates will no longer have access to Access Maryland until they do so.

The projects under this program must complete design within two years of receiving approval from the General Assembly to remain eligible for funding. In addition, starting in fiscal 2010, agencies were required to initiate construction within six months of approval of design. These policies are intended to ensure that projects are completed in a timely manner. Although three projects have received extensions due to external approval delays, no projects have lost funding due to these progression policies since fiscal 2006.

It should be noted that in the event a project is declared ineligible, the agency is not relieved of the obligation to make the modification, just that the project will not be funded using Access Maryland funds. MDOD has no way to ensure the project is actually completed. However, for most State agencies, Access Maryland is the only source of funds for small scale facility improvements.

The Accessibilities Modifications program is administered on a cash flow basis, and projects are funded on a first-come, first-served basis until funds are exhausted. In prior years, the allowance would fund projects previously approved by the General Assembly but not yet initiated. MDOD worked to eliminate this use of carryover projects to allow for more projects to be funded in a given year, and fiscal 2013 was the first year with no carryover projects. Fiscal 2014 continues this practice, as there are no previously authorized projects receiving funding.

Prior Authorization and Capital Improvement Program

Authorization Request (\$ in Millions)

<i>Fund Source</i>	<i>2012 Approp.</i>	<i>2013 Approp.</i>	<i>2014 Request</i>	<i>2015 Estimate</i>	<i>2016 Estimate</i>	<i>2017 Estimate</i>	<i>2018 Estimate</i>
GO Bond	\$1.444	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600
Total	\$1.444	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600	\$1.600

Authorization Encumbrance and Expenditure Data

Authorization Summary (\$ in Millions)

		<i>Funds</i>		<i>Balances</i>	
<i>Fiscal Year</i>	<i>Authorization</i>	<i>Encumbered</i>	<i>Expended</i>	<i>To Be Encumbered</i>	<i>To Be Expended</i>
Prior Years	\$28.450	\$28.448	\$28.433	\$0.002	\$0.018
2009	1.600	1.580	1.545	0.020	0.055
2010	1.600	1.597	1.546	0.003	0.054
2011	1.600	1.368	0.767	0.232	0.833
2012	1.444	0.000	0.000	1.444	1.444
2013	1.600	0.000	0.000	1.600	1.600
Total	\$32.294	\$32.993	\$32.291	\$3.301	\$4.004

Note: Data as of July 1, 2012. See the Previously Authorized Projects list for the status of individual projects reflecting the current status on the encumbrance and expenditure of available funds.

Budget Overview

The proposed fiscal 2014 general obligation (GO) bond authorization totals \$1.6 million, equal to that authorized in fiscal 2013. However, due to a program balance from lower than expected project costs in prior years, total spending in fiscal 2014 is estimated to be \$1.7 million. The CIP programs \$1.6 million annually for fiscal 2015 to 2018.

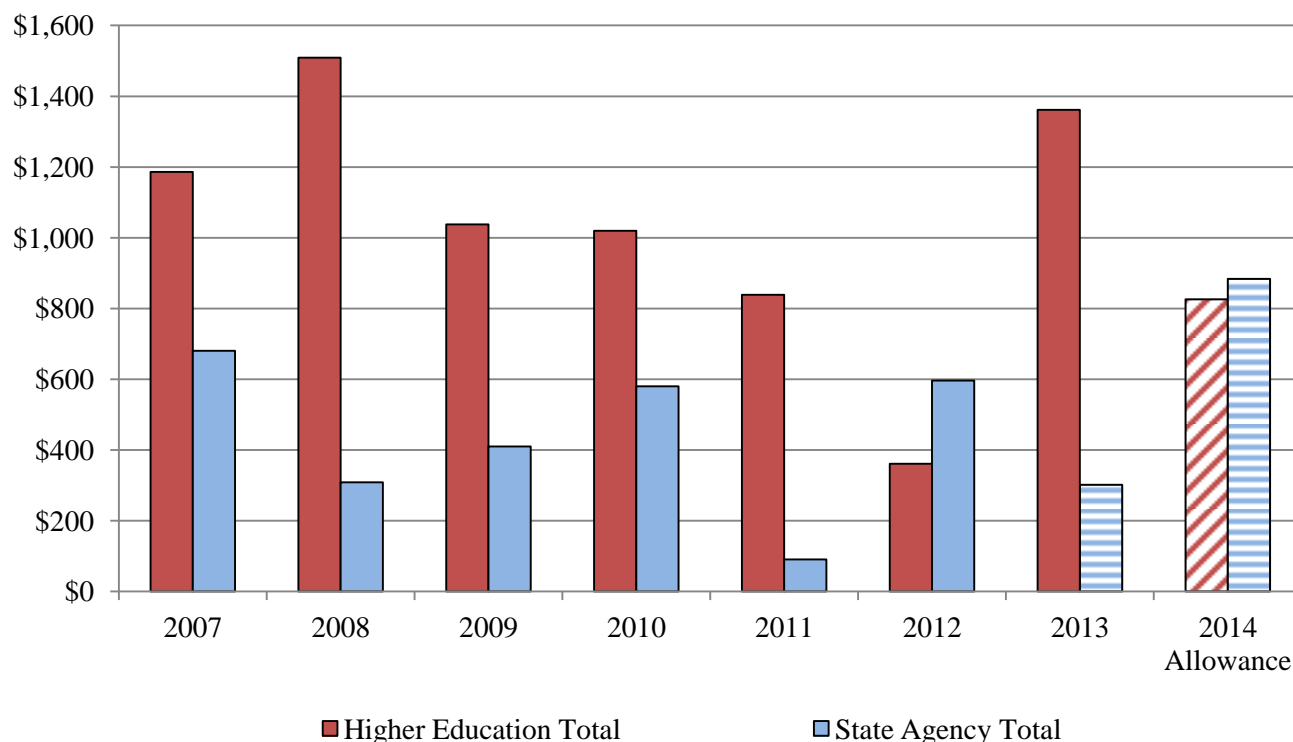
The nine projects included for funding in fiscal 2014 are comprised of five at higher education institutions (CSU, UMB, UMBC, and UMCP), two at correctional facilities (the Central Maryland Correctional Facility and the Eastern Pre-release Unit), one at a State park (Rocky Gap State Park), and one at a district court (Borgerding District Court).

The UMCP project modifies the entrance and elevators of the Potomac Building, a project that received \$79,760 in fiscal 2013 for design. The allowance includes \$623,000 for construction, the largest project in fiscal 2014. The Borgerding District Court project totals \$45,000 for planning of courtroom modifications, and \$293,000 is expected in fiscal 2015 for construction.

Higher Education Funding in Access Maryland

Higher education institutions have traditionally received the majority of funding under Access Maryland. MDOD puts a priority on these projects because higher education leads to greater employment opportunities and less reliance on State services. **Exhibit 1** shows that higher education received more funding than all other State agencies in each year since fiscal 2007 except fiscal 2012, as well as in the 2014 allowance.

Exhibit 1
Access Maryland Funding
Higher Education Institutions Compared to All Other State Agencies
Fiscal 2007-2014



Source: Governor's Budget Books, Fiscal 2007-2014

Those two years notwithstanding, higher education institutions represent the greatest share of State-owned facilities and the majority of them were built before the accessibility requirements of the ADA. Higher education institutions also represent 8 of the 12 transition plans that MDOD has on file, so their needs are more documented than other State agencies.

However, the University System of Maryland (USM) receives \$17 million in GO bonds annually for facility renewal projects in the capital budget, and all higher education institutions have plant funds, an internal fund source that is used for facility improvements. State agencies do not have these alternative fund sources available and instead must rely on programs like Access Maryland. A year ago, MDOD reported that it was going to work with USM to try to develop a matching fund or other mechanism to address accessibility modifications at USM institutions. **MDOD should comment on the result of those discussions and if additional funding from higher education institutions themselves can be used to help address their accessibility needs.**

GO Bond Recommended Actions

1. Approve funding for the Accessibilities Modifications program.

Fiscal 2014 Proposed Projects

<u>Subdivision</u>	<u>Agency</u>	<u>Project</u>	<u>Project Description</u>	<u>Estimated Cost</u>	<u>Prior Authorization</u>	<u>Fiscal 2012 Amount</u>	<u>Future Request</u>	<u>Total State Share (%)</u>
Prince George's	UMCP	Potomac Building	Entrance and elevator modifications	\$702,760	\$79,760	\$623,000	\$0	100.0%
Baltimore City	CSU	Miles Connor Administration Building	Restrooms, signage, and door hardware	148,250	0	148,250	0	100.0%
Allegany	DNR	Rocky Gap State Park	Campsite access route	541,250	0	541,250	0	100.0%
Baltimore City	DGS/BPW	Borgerding District Court	Courtroom accessibility modifications	338,000	0	45,000	293,000	100.0%
Baltimore	UMBC	Conservation and Environmental Research Areas (CERA)	Access to CERA Pond	38,000	0	38,000	0	100.0%
Carroll	DPSCS	Central Maryland Correctional Facility	Building A restroom modifications	56,250	0	56,250	0	100.0%
Queen Anne's	DPSCS	Eastern Pre-Release Unit	Parking lot modifications	241,000	0	241,000	0	100.0%
Baltimore City	UMB	Two campus buildings	Door closures	9,840	0	9,840	0	100.0%
Baltimore City	UMB	Saratoga Street Garage and Offices	Restroom modifications	6,600	0	6,600	0	100.0%
Statewide		Cash Flow and Available Funds Adjustment		-109,190	0	-109,190	0	100.0%
Total				\$1,972,760	\$79,760	\$1,600,000	\$293,000	

BPW: Board of Public Works
 CSU: Coppin State University
 DGS: Department of General Services
 DNR: Department of Natural Resources

DPSCS: Department of Public Safety and Correctional Services
 UMB: University of Maryland, Baltimore
 UMBC: University of Maryland, Baltimore County
 UMCP: University of Maryland, College Park

Previously Authorized Projects

<u>Project Title</u>	<u>Estimated Cost</u>	<u>Prior Auth.</u>	<u>Amount</u>	<u>Future Request</u>	<u>Project Status</u>
DPSCS – Maryland Correctional Institution – Accessible Route	\$145,000		\$145,000		Design under negotiation, cost may be underestimated
DMIL – Cade Armory Public Area Access	12,758		12,758		Project complete, invoices being processed
Morgan State University – Chapel Exterior Access Route	47,000		47,000		Scope of work being discussed, cost may be underestimated
UMB – Multiple Buildings Door Closers	65,000		65,000		In design
UMB – 100 North Green Street – Doors and Door Closers	27,500		27,500		Phase I constructed initiated, Phase II under design
UMB – Biomedical Research Facility – Entrance and Door Closers	9,500		9,500		Phase I constructed initiated, Phase II under design
UMB – Frank C. Bressler Research Building – Restrooms, Signage, and Door Hardware	12,600		12,600		In design
UMB – School of Law and Social Work Building – Door Closers, Accessible Route, and Signage	8,300		8,300		Not yet begun
UMB – School of Nursing – Door Closers and Hardware and Signage	15,050		15,050		Not yet begun

<u>Project Title</u>	<u>Estimated Cost</u>	<u>Prior Auth.</u>	<u>Amount</u>	<u>Future Request</u>	<u>Project Status</u>
UMB – School of Social Work – Door Closers, Signage, Restroom Ramp, Handrail Modification	29,800		29,800		Not yet begun
DGS/BPW Essex/Rosedale MSC – Accessible Route, Doors, and Signage	45,000		45,000		Project complete, invoices being processed
DHMH – MHA – Dix Building Vertical Access	2,963		2,963		Project complete, invoices being processed
Towson University – Media Center Elevator	369,600		369,600		Project being bid
UMBC – Academic IV Building – Restroom Modification Phase I	233,000		116,500	\$116,500	In design
UMBC – Elevator Modifications in Multiple Facilities	275,000	\$96,000	179,000		Delays in construction procurement
UMBC – Math and Psychology Building – Restroom Modifications Phase I	233,000		116,500	116,500	In design
UMBC – Walker Avenue Accessible Route	291,000		291,000		In design
DNR – Martinak State Park – Accessible Trail Phase II	375,000		375,000		Under construction
DPSCS – Central Maryland Correctional Facility – Entrance Modifications	105,650		105,650		Not yet underway, cost may be underestimated
DPSCS – Central Maryland Correctional Facility – Housing Unit Ramp	100,000		100,000		Not yet underway, cost may be underestimated
DGS/BPW – Ellicott City DC/MSD Accessible Route	62,502		62,502		Under construction

<u>Project Title</u>	<u>Estimated Cost</u>	<u>Prior Auth.</u>	<u>Amount</u>	<u>Future Request</u>	<u>Project Status</u>
DPSCS – Patuxent Institution – DD Building Access Ramp	100,000		100,000		Design under negotiation, cost may be underestimated
Maryland State Police Quartermaster Division – Restrooms, Elevators, and Signage	97,942		97,942		Under construction
UMCP – Potomac Building – Entrance and Elevator Modifications	702,760		79,760	623,000	Design underway
UMCP – Frances Scott Key Hall – Restroom and Water Cooler Modifications	72,000		72,000		Under construction
UMCP – Hornbake Library – Restroom Modifications	94,100		94,100		Not yet underway
UMCP – LeFrak Hall – Restroom Modifications	18,000		18,000		Under construction
UMCP – Neutral Buoyance Facility – Unisex Restrooms Modifications	13,000		13,000		Project being bid
UMCP – Taliaferro Hall – Restroom and Water Cooler Modifications	36,000		36,000		Under construction
UMCP – Tydings Hall – Restroom Modifications	65,000		65,000		In design
UMCP – Woods Hall – Restroom Modifications	28,000		28,000		Under construction
UMES Wilson Hall – Ramp Replacement	187,262		187,262		Project delayed due to an unforeseen facilities renewal project

<u>Project Title</u>	<u>Estimated Cost</u>	<u>Prior Auth.</u>	<u>Amount</u>	<u>Future Request</u>	<u>Project Status</u>
Historic St. Mary's City – Chancellor's Point Parking and Access Routes	96,700		96,700		Project being bid
DHMH – Western Maryland Hospital Center – Patio Modifications Phase II	176,000		176,000		Project under MDE review
	\$4,151,987	\$96,000	\$3,199,987	\$856,000	

BPW: Board of Public Works
DGS: Department of General Services
DHMH: Department of Health and Mental Hygiene
DMIL: Military Department
DNR: Department of Natural Resources
DPSCS: Department of Public Safety and Correctional Services
MDE: Maryland Department of the Environment
MHA: Mental Hygiene Administration
UMB: University of Maryland, Baltimore
UMBC: University of Maryland Baltimore County
UMCP: University of Maryland, College Park
UMES: University of Maryland Eastern Shore